

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SECURITIES AND EXCHANGE COMMISSION,	§ § § §	
<i>Plaintiff,</i>	§ § § §	
v.	§ §	Civil Action No. 3:20-CV-00929-X
MATTHEW S. HILLIARD, HILLIARD OIL VENTURES, INC. a/k/a DELTA WESTERN COMPANY, HILLIARD HELIUM COMPANY, LLC, and HILLIARD LAND AND ENERGY CORP.,	§ § § § § § §	
<i>Defendants.</i>	§ §	

ORDER

Plaintiff Securities and Exchange Commission and defendants Matthew S. Hilliard, Hilliard Oil Ventures, Inc. (also known as Delta Western Company), Hilliard Helium Company, LLC, and Hilliard Land and Energy Corp. reached settlement agreements and jointly moved for the Court to enter final judgment [Doc. No. 7]. After reviewing the motion and the record, the Court concludes that: (1) the proposed consent decree comports with the Constitution, relevant statutes, and binding jurisprudence; (2) the terms of the proposed consent decree, including its enforcement mechanism, are clear; (3) the proposed consent decree reflects a resolution of the actual claims in the complaint; and (4) the proposed consent decree is not tainted by

improper collusion or corruption of some kind.¹ Additionally, the parties' factual and legal determinations comport with the facts of record and have been established by evidence, affidavit, or stipulation.²

Therefore, the Court **GRANTS** the motion. By separate order, the Court will issue a final judgment against the defendants in a form agreed upon by the parties.

IT IS SO ORDERED this 14th day of August 2020.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE

¹ See *Securities Exchange Comm'n v. Citigroup Global Markets, Inc.* 752 F.3d. 285, 294–95 (2d Cir. 2014).

² See *U.S. v. City of Miami, Fla.*, 664 F.2d 435, 441 (5th Cir. 1981) (en banc) (Rubin, J., concurring) (instructing district courts to examine [a proposed consent decree] carefully to ascertain not only that it is a fair settlement but also that it does not put the court's sanction on and power behind a decree that violates [the] Constitution, statute[s], and jurisprudence. This requires a determination that the proposal represents a reasonable factual and legal determination based on the facts of record, whether established by evidence, affidavit, or stipulation. If the decree also affects third parties, the court must be satisfied that the effect on them is neither unreasonable nor proscribed").